

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2004-0034

WASTE DISCHARGE REQUIREMENTS

FOR
ERNIE AND MARY SCHENONE
SCHENONE SPECIALTY FOODS, INC.
SAN JOAQUIN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Board) finds that:

1. On 18 November 2003, Ernie and Mary Schenone, and Schenone Specialty Foods, Inc. (jointly Discharger) submitted a Report of Waste Discharge (RWD) for a new wastewater treatment and disposal system that will treat and dispose of domestic and industrial wastewater generated from the Schenone Specialty Foods chocolate manufacturing and retail establishment in Clements, San Joaquin County.
2. Schenone Specialty Foods, Inc. will operate Chocoholics Divine Desserts (CDD) at 18819 East Highway 88, Clements. The facility will consist of a renovated existing 3,600 sq. ft. building and a new 14,200 sq. ft. building. The Discharger plans to manufacture and distribute wholesale gourmet chocolate products with onsite sales of chocolate products to the general public.
3. The facility located on Assessor Parcel Numbers 019-240-18, -49, and -50 in Sections 15 and 22, T4N, R8E MDB&M. The facility location is presented on Attachment A, which is attached hereto and made part of this Order by reference.

Proposed Wastewater System

4. Primary products produced by CDD include chocolate candy and sauces; it is expected that CDD will also serve hot chocolate and coffee drinks that include its sauces. Products for retail sale may also include ice cream.
5. The table below presents the anticipated number of employees and site visitors and the seasonal wastewater flow variation described in the RWD.

| <u>Month</u> | <u>Number of Employees¹</u> | <u>Number of Customers¹</u> | <u>Domestic Wastewater (gal)</u> | <u>Industrial Wastewater (gal)</u> | <u>Total Wastewater (gal)</u> |
|--------------|--|--|--------------------------------------|--|-----------------------------------|
| January | 24 | 50 | 17,537 | 7,196 | 24,734 |
| February | 20 | 42 | 13,240 | 5,417 | 18,657 |
| March | 14 | 29 | 10,341 | 4,198 | 14,539 |
| April | 14 | 29 | 10,007 | 4,063 | 14,070 |
| May | 14 | 29 | 10,341 | 4,198 | 14,539 |
| June | 18 | 38 | 12,793 | 5,223 | 18,016 |
| July | 14 | 29 | 10,341 | 4,198 | 14,539 |
| August | 20 | 42 | 14,659 | 5,997 | 20,656 |

| <u>Month</u> | <u>Number of Employees¹</u> | <u>Number of Customers¹</u> | <u>Domestic Wastewater (gal)</u> | <u>Industrial Wastewater (gal)</u> | <u>Total Wastewater (gal)</u> |
|--------------|--|--|----------------------------------|------------------------------------|-------------------------------|
| September | 28 | 58 | 19,757 | 8,125 | 27,882 |
| October | 50 | 104 | 36,248 | 14,993 | 51,240 |
| November | 28 | 58 | 19,757 | 8,125 | 27,882 |
| December | 44 | 92 | 31,930 | 13,193 | 45,123 |
| Total | 288 | 600 | 206,951 | 84,926 | 291,877 |
| Average | 24 | 50 | 17,246 gal/mo | 7,077 gal/mo | 24,323 gal/mo |

¹ Number of employees or customers per day.

6. The proposed wastewater treatment and disposal system consists of (a) a 1,200 gallon, two-compartment, grease trap that will receive industrial waste from the manufacturing floor drains, wash sinks, cooling tables, and washing machine; (b) a 2,000 gallon, single-compartment, septic tank that will receive domestic waste from the 14,200 sq. ft. building and the existing 1,600 sq. ft. building, and (c) a secondary 2,000 gallon, two-compartment, settling tank containing a septic tank effluent pump. The settling tank will receive the waste from both the industrial grease trap and the domestic septic tank. Wastewater will be pumped from the secondary settling tank to one of two disposal systems: an 1,800 sq. ft. filter bed area equipped with 22 laterals protected by Infiltrator chambers, or two 40 ft. long leachlines with 16 ft. deep seepage pits at the terminal ends. A schematic of the system is presented on Attachment B, which is attached hereto and made part of this Order by reference.
7. Untreated wastewater quality is estimated in the RWD as follows. It is noted that the untreated wastewater quality is based on the result of one composite sample, and may not represent maximum concentrations. It is also noted that the Discharger did not provide the anticipated concentration of total dissolved solids in the effluent.

| <u>Constituent</u> | <u>Units</u> | <u>Anticipated Untreated CDD Wastewater Quality¹</u> | <u>Typical Untreated Domestic Wastewater²</u> |
|--------------------|--------------|---|--|
| BOD | mg/L | 577 | 210 |
| Total Nitrogen | mg/L | 36 | 35 |
| TSS | mg/L | 268 | 210 |

¹ Wastewater quality from Table 3, 11/03 RWD, includes a mixture of domestic and industrial wastewater.

² Domestic wastewater values from Table 4-14 Small and Decentralized Wastewater Management Systems, 1998.

8. Wastewater will be discharged to a shallow leachfield system. Septic tank effluent will be pressure dosed to the leachfield using an Orenco Biotube Pump Vault or equivalent. The Biotube is equipped with a filter cartridge to prevent discharge of solids to the leachfield/seepage pits.
9. Disposal will primarily be accomplished through evapotranspiration and infiltration. The dispersal area will be landscaped to allow shallow rooted plants to take up nitrogen. Plants will be selected to prevent intrusion of roots into the infiltrators, leachlines, or seepage pits.

10. The design of the dispersal area is based on measured infiltration rates. Infiltration generally increases with the investigated depth (43 min/inch at 2.0 ft. depth, 25 min/inch at 3.5 ft. depth, 7.9 min/inch at 7.2 ft. depth, and 4.6 min/inch at 16.0 ft. depth).
11. The dispersal area is equipped with a manual distribution valve to allow switching flow to either of two subareas. The first area consists of a 1,800 sq. ft. gravel-less system leachbed; the second area consists of two 40-foot long leachlines each of which terminates in a 48-inch diameter, 16-foot deep seepage pit. The Discharger proposes to direct wastewater flow between the two systems by a manual valve.
12. The leachbed will consist of one-inch inside diameter pipe installed in Infiltrator Chambers (gravelless trench system). Infiltrator Chambers will be spaced six-inches apart. The leachbed will occupy approximately 1,800 sq. ft. The 40 ft. long leachlines will be constructed of typical pipe and rock construction.
13. Monitoring of the wastewater depth in the disposal areas can aid in early detection of leachfield failure. The Discharger will install observation wells in the disposal trenches for this purpose.
14. The design flow for the WWTF is approximately 2,000 gallons per day, which is greater than the maximum estimated flow of 1,500 gpd in the month of December.

Site-Specific Conditions

15. The average annual rainfall at the site is approximately 17.4 inches per year; the one-hundred year return annual total rainfall amount is 32.3 inches per year. Average evapotranspiration is approximately 52.1 inches per year.
16. The RWD states the maximum monthly estimated value for percolation of wastewater (23.0 inches) is approximately one-half of the maximum allowable monthly percolation value (50.2 inches). The maximum allowable monthly percolation value is five-percent of the most restrictive permeability value.
17. The topography of the site is relatively flat at an elevation of approximately 125 feet above mean sea level.
18. On-site soils consist of loam to sandy clay loam. According to the soil survey for San Joaquin County, surface soil is characterized as Tokay fine sandy loam with moderately rapid permeability.
19. Based on San Joaquin County Flood Control and Water Conservation District maps, groundwater is believed to exist at a depth of 140 feet below ground surface. Groundwater flow direction is to the southwest but may vary based on operating groundwater extraction wells.
20. The Clements water supply well is located approximately 1,000 feet southwest of the CDD facility. Selected water quality parameters are presented in the table below:

| <u>Constituent</u> | <u>Units</u> | <u>Concentration</u> |
|--------------------|--------------|----------------------|
| Calcium | mg/L | 13 |
| Magnesium | mg/L | 8 |
| Sodium | mg/L | 10 |
| Potassium | mg/L | 5 |
| Sulfate | mg/L | 4 |
| Chloride | mg/L | 11 |
| Nitrate | mg/L | 2.3 |
| pH | Std. Units | 6.4 |
| EC | µmho/cm | 198 |
| TDS | mg/L | 140 |

EC denotes Electrical Conductivity. TDS denotes Total Dissolved Solids.

21. All portions of the CDD facility are outside the 100-year flood zone.
22. The facility lies within the Lower Mokelumne Hydrologic Unit Area No. 531.20, as depicted on interagency hydrologic maps prepared by the Department of Water Resources in August 1986.

Groundwater Degradation

23. State Water Resources Control Board (SWRCB) Resolution No. 68-16 (hereafter Resolution 68-16 or the “Antidegradation Policy”) requires the Regional Board in regulating the discharge of waste to maintain high quality waters of the state (i.e., background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Regional Board’s policies (e.g., quality that exceeds water quality objectives).
24. The Regional Board finds that the Discharger has not demonstrated that it is to the maximum benefit to the people of the State of California to degrade groundwater, and therefore groundwater degradation is not allowed under this Order.
25. This wastewater treatment facility provides treatment and control of the discharge that includes primary and biological treatment in a grease trap, septic tank, and secondary tank from which wastewater will be pressure dosed to a leachbed or gravity fed into a leachfield/seepage pit system where additional physical and biological treatment will occur.
26. A standard septic tank and leachfield system provides minimal treatment of wastewater and is highly dependent upon proper management and waste constituent attenuation in the disposal field to prevent pollution of groundwater and to protect beneficial uses. While the Basin Plan conditionally allows septic tanks with leachfield systems for areas of rural development, it includes the expectation of optimal site selection and conservative design that meet the minimum guidelines, and attentive and judicious operation and maintenance. This Order allows discharge of industrial waste to the wastewater system and therefore requires the Discharger to appropriately operate, monitor, and maintain the system.

Basin Plan, Beneficial Uses, and Regulatory Considerations

27. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition*, (hereafter Basin Plan) designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board. Pursuant to Section 13263(a) of the California Water Code, waste discharge requirements must implement the Basin Plan.
28. Surface water drainage from the facility is to the Mokelumne River downstream of Camanche Reservoir.
29. The designated beneficial uses of the Mokelumne River from Camanche Reservoir to the Delta are agricultural supply; water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; and wildlife habitat.
30. The designated beneficial uses of the underlying groundwater are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.
31. The State Water Resources Control Board adopted Order No. 97-03-DWQ (General Permit No. CAS000001) specifying waste discharge requirements for discharges of storm water associated with industrial activities, and requiring submittal of a Notice of Intent by all affected industrial dischargers. The wastewater treatment plant facilities will be underground and therefore not exposed to stormwater runoff. Because there is no storm water discharge, the Discharger is not required to obtain coverage under General Permit No. CAS000001.
32. On 8 October 2002, in accordance with the California Environmental Quality Act, the San Joaquin County Community Development Department filed a Negative Declaration for the project. The Negative Declaration was approved on 4 December 2002. Implementation of these WDRs should result in a project which does not negatively impact groundwater or surface water.
33. Section 13267(b) of California Water Code provides that: *“In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”*

The technical reports required by this Order and the attached “Monitoring and Reporting Program No. R5-2004-0034” are necessary to assure compliance with these waste discharge requirements. The Discharger operates facilities that discharge waste subject to this Order.

34. The California Department of Water Resources sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981). These standards, and any more stringent standards adopted by the state or county pursuant to CWC Section 13801, apply to all monitoring wells.
35. State regulations that prescribe procedures for detecting and characterizing the impact of waste constituents from waste management units on groundwater are found in Title 27. While the wastewater treatment facility is exempt from Title 27, the data analysis methods of Title 27 may be appropriate for determining whether the discharge complies with the terms for protection of groundwater specified in this Order.
36. The discharge authorized herein and the treatment and storage facilities associated with the discharge, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, California Code of Regulations (CCR), Section 20005 et seq. (hereafter Title 27). The exemption, pursuant to Title 27 CCR Section 20090(a), is based on the following:
 - a. The waste consists primarily of domestic sewage with a low volume of industrial wastewater;
 - b. The waste discharge requirements are consistent with water quality objectives; and
 - c. The treatment and storage facilities described herein are associated with a domestic wastewater treatment facility.
37. Pursuant to California Water Code Section 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

Public Notice

38. All the above and the supplemental information and details in the attached Information Sheet, which is incorporated by reference herein, were considered in establishing the following conditions of discharge.
39. The Discharger and interested agencies and persons were notified of the intent to prescribe waste discharge requirements for this discharge, and provided an opportunity to submit written views and recommendations to be heard in a public meeting.
40. In a public meeting, all comments pertaining to the discharge were heard and considered.

IT IS HEREBY ORDERED that pursuant to Sections 13263 and 13267 of the California Water Code, Ernie and Mary Schenone and Schenone Specialty Foods, Inc., their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder, shall comply with the following:

[Note: Other prohibitions, conditions, definitions, and some methods of determining compliance are contained in the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements" dated 1 March 1991.]

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Bypass or overflow of untreated or partially treated waste is prohibited.
3. Discharge of sewage upstream of the dispersal area is prohibited. Discharge of treated wastewater outside of the dispersal area is prohibited.
4. Surfacing of wastewater within or downgradient of the dispersal area is prohibited.
5. Discharge of waste classified as 'hazardous' under Section 2521, Chapter 15 of Title 23 or 'designated', as defined in Section 13173 of California Water Code is prohibited.
6. The discharge to the seepage pits shall only be accomplished by gravity flow; pressure dosing the seepage pits is prohibited.

B. Discharge Specifications

1. The monthly average flow to the dispersal area shall not exceed 2,000 gpd.
2. The wastewater treatment and dispersal area shall not cause pollution or a nuisance as defined by Section 13050 of the California Water Code.
3. Public contact with wastewater and the dispersal area shall be precluded or controlled through such means as fences and signs, or acceptable alternatives.
4. No waste constituent shall be released or discharged, or placed where it will be released or discharged, in a concentration or in a mass that causes violation of the Groundwater Limitations.
5. Objectionable odor originating at the facility shall not be perceivable beyond the limits of the wastewater treatment or dispersal area.
6. All wastewater treatment and dispersal areas shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
7. Application of wastewater shall be confined to the dispersal area as defined in this Order.
8. The Discharger shall operate all systems and equipment to maximize treatment of wastewater and optimize the quality of the discharge. In particular, the following items shall be completed in accordance with the Operation and Maintenance Plan required by the Provisions:

- a. The Discharger shall conduct inspections of the septic tanks on at least an annual basis.
 - b. The Discharger shall cut the vegetation and remove the plant litter from the dispersal area as needed. Root intrusion into the dispersal area shall be limited to shallow rooted plants.
 - c. The Discharger shall annually evaluate whether wastewater is evenly distributed to the dispersal area and make modifications to the systems as necessary.
 - d. The Discharger shall properly maintain the sewage piping, septic tank, grease trap, secondary tank, pumping equipment, and dispersal area including the timely removal and disposal of accumulated scum/sludge. Sludge and solid waste removed from septic tanks shall be pumped and hauled only by a licensed septage hauler. Septic tanks that are cracked or otherwise damaged shall be promptly repaired or replaced. Septic tank filters shall be cleaned on a routine basis.
9. The wastewater sytem shall have sufficient treatment, storage, and disposal capacity to accommodate allowable wastewater flow and design seasonal precipitation during the winter months. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
 10. A 100-foot buffer zone shall be maintained between any watercourse and the dispersal area.
 11. A 100-foot buffer zone shall be maintained between any spring, domestic well, or irrigation well and the dispersal area.
 12. A 50-foot buffer zone shall be maintained between the dispersal area and all property boundaries.

C. Effluent Limitations

1. Effluent discharged from the 2,000 gallon secondary tank shall not exceed the following maximum limits:

| <u>Constituent</u> | <u>Units</u> | <u>Concentration Limit</u> |
|---------------------------|--------------|----------------------------|
| Biochemical Oxygen Demand | mg/L | 400 |
| Total Nitrogen | mg/L | 30 |
| Total Dissolved Solids | mg/L | 500 |

BOD denotes five-day biochemical oxygen demand. TDS denotes Total Dissolved Solids.

D. General Solids Disposal Specifications

Sludge means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screenings generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the facility.

1. Sludge and solid waste shall be removed from screens, septic/grease/secondary tanks, and outlet filters as needed to ensure optimal plant operation.
2. Residual sludge and solid waste shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27. Removal for further treatment, disposal, or reuse at disposal sites operated in accordance with valid waste discharge requirements issued by a regional water quality control board will satisfy this specification.

E. Groundwater Limitations

The discharge, shall not cause underlying groundwater to contain waste constituents in concentrations greater than natural background water quality.

F. Provisions

1. All of the following reports shall be submitted pursuant to Section 13267 of the California Water Code and shall be prepared by a registered professional as described by Provision F.2.
 - a. **At least 30 days prior to use**, the Discharger shall submit a report certifying that the new wastewater system has been constructed as described in Finding No. 6 of this Order. The report at a minimum shall provide the following:
 - i. The number, size, and construction material of each grease trap/septic tank/secondary tanks installed.
 - ii. A detailed description of the dispersal area, including construction materials and volume of wastewater that will be discharged with each dose.
 - iii. A description of the type and location of the flow meter which has been installed to meet compliance with the Monitoring and Reporting Program.
 - iv. A detailed description of the dispersal area vegetative cover.
 - b. By **17 July 2004**, the Discharger shall submit and implement an Operation and Maintenance (O&M) Plan for the wastewater system. The O&M Plan shall instruct personnel on how to manage the day-to-day discharge operations to comply with the terms and conditions of this Order and how to make adjustments, as necessary, to preclude nuisance conditions (e.g., surfacing water). It shall also include a nuisance condition troubleshooting flowchart and a description of notification requirements. A copy of the O&M Plan shall be kept at the facility for reference by operating personnel. Key personnel shall be familiar with its contents. The O&M Plan shall include the following documents as report appendices:
 - i. A Vegetation Control Plan which describes how vegetation will be controlled and maintained in the leachfield to prevent root intrusion and damage.
 - ii. A Inspection Plan which describes the procedures for annually inspecting and testing grease trap, septic tank, and secondary tank to determine if collected grease/scum/sludge need to be removed, and evaluates whether wastewater is

evenly distributed to all the leachlines and make modifications to the systems as necessary.

- iii. A maintenance plan which describes maintenance procedures for the grease trap, septic tank, secondary tank, filters, and pumps including the timely removal and disposal of accumulated scum/sludge. Sludge and solid waste removed from grease trap, septic tank, and secondary tank shall be pumped and hauled only by a licensed septage hauler. Septic tanks that are cracked or otherwise damaged shall be promptly repaired or replaced. Secondary tank filters shall be cleaned on a routine basis.
- c. By **30 June 2005**, the Discharger shall submit a *Wastewater Treatment System Effectiveness Report* that evaluates the need for installation of vadose zone or groundwater monitoring wells. The report shall summarize the wastewater quality, estimate the attenuation capacity of the subsurface, and determine the likelihood that groundwater degradation could or has occurred as a result of the discharge.
- d. Within 90-days of being so directed by the Executive Officer, the Discharger shall submit a workplan for characterization of groundwater quality. The workplan shall describe the installation of sufficient groundwater wells to allow evaluation of the groundwater quality upgradient and downgradient of the leachfields. Every monitoring well shall be constructed to yield representative samples from the first saturated interval and to comply with applicable well standards. The workplan shall be consistent with, and include the items listed in, the first section of Attachment C, "*Items to be Included in a Monitoring Well Installation Workplan and a Monitoring Well Installation Report of Results.*"
- e. Within 90-days of the approval of the workplan required by Provision No. F.1.d, the Discharger shall submit a groundwater well installation report that is consistent with, and includes the items listed in, the second section of Attachment C. The report shall describe the qualified consultant that the Discharger will use to collect groundwater samples.
- f. If directed by the Executive Officer, the Discharger shall submit a *Background Groundwater Quality Study Report*. For each groundwater monitoring parameter/constituent identified in the Monitoring and Reporting Program, the report shall present a summary of monitoring data, a calculation of the concentration in background monitoring well(s), and a comparison of background groundwater quality to that in wells used to monitor the facility. Determination of background quality shall be made using the methods described in Title 27, Section 20415(e)(10), and shall be based on data from at least four consecutive quarterly (or more frequent) groundwater monitoring events.
- g. If groundwater monitoring reports show that groundwater exceeds the groundwater limitation required by this Order, then within **120 days** of the Executive Officer's request, the Discharger shall submit a technical report which shall include a

comprehensive evaluation of treatment and control measures that address full mitigation of the source of exceedance(s). The report shall describe treatment and control alternatives studied, the alternative(s) recommended for implementation, and any specific methods the Discharger proposes to monitor and assure continuous optimal performance, the source of funding, and proposed schedule for implementation. The recommended improvements and implementation schedule are subject to the Executive Officer's approval, but the schedule for full implementation shall be as short as practicable and not exceed two years unless specifically approved by the Regional Board.

2. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall contain a statement of qualifications of the responsible licensed professional(s) as well as the professional's signature and/or stamp of the seal.
3. The Discharger shall comply with the Monitoring and Reporting Program No. R5-2004-0034, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
4. The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which are attached hereto and made part of this Order by reference. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."
5. The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to assure compliance with terms of this Order.
6. Upon the reduction, loss, or failure of the treatment system resulting in a sanitary sewer overflow, the Discharger shall take any necessary remedial action to (a) control or limit the volume of sewage discharged, (b) terminate the sewage discharge as rapidly as possible, and (c) recover as much as possible of the sewage discharged (including wash down water) for proper disposal. The Discharger shall implement all applicable remedial actions including, but not limited to, the following:
 - a. Interception and rerouting of sewage flows around the sewage line failure;
 - b. Vacuum truck recovery of sanitary sewer overflows and wash down water;
 - c. Use of portable aerators where complete recovery of the sanitary sewer overflows are not practicable and where severe oxygen depletion is expected in surface waters; and
 - d. Cleanup of sewage-related debris at the overflow site.

7. The Discharger shall report to the Regional Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act of 1986."
8. The Discharger shall not allow waste-free wastewater to be discharged into the wastewater collection, treatment, and disposal system in amounts that significantly diminish the system's capability to comply with this Order. Waste-free wastewater means rainfall, groundwater, excessive amounts of cooling waters, or condensates that are essentially free of wastes.
9. The Discharger shall submit to the Regional Board on or before each compliance report due date, the specified document or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the discharge will be in compliance. The Discharger shall notify the Regional Board in writing when it returns to compliance with the time schedule.
10. In the event of any change in control or ownership of land or waste discharge facilities described herein, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office.
11. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or recession of this Order.
12. A copy of this Order shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
13. The Regional Board will review this Order periodically and will revise requirements when necessary.

I, THOMAS R. PINKOS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 19 March 2004.

THOMAS R. PINKOS, Executive Officer

TRO: 3/19/2004

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. R5-2004-0034

FOR
ERNIE AND MARY SCHENONE
SCHENONE SPECIALTY FOODS, INC.
SAN JOAQUIN COUNTY

This Monitoring and Reporting Program (MRP) describes requirements for monitoring domestic wastewater, treated effluent, dispersal areas, and groundwater. This MRP is issued pursuant to Water Code Section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer. Regional Board staff shall approve specific sample station locations prior to implementation of sampling activities.

All samples should be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form.

Field test instruments (such as those used to test pH) may be used provided that:

1. The operator is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to each monitoring event;
3. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are submitted as described in the "Reporting" section of this MRP.

SEPTIC TANK MONITORING

The Discharger shall monitor the three tanks (grease trap, septic tank, and secondary settling tank) and report this information in the annual reports. The three tanks shall be inspected annually and pumped as described below.

| <u>Parameter</u> | <u>Units</u> | <u>Type of Measurement</u> | <u>Minimum Inspection</u> | <u>Reporting Frequency</u> |
|--|--------------|----------------------------|---------------------------|----------------------------|
| Sludge depth and scum thickness in each compartment of each grease trap, septic tank, and treatment system | Feet | Staff Gauge | Annually | Annually |
| Distance between bottom of scum layer and bottom of outlet device | Inches | Staff Gauge | Annually | Annually |
| Distance between top of sludge layer and bottom of outlet device | Inches | Staff Gauge | Annually | Annually |

The three tanks shall be pumped when any one of the following conditions exist or may occur before the next inspection:

- a. The combined thickness of sludge and scum exceeds one-third of the tank depth of the first compartment; or,
- b. The scum layer is within three inches of the outlet device; or,
- c. The sludge layer is within eight inches of the outlet device.

EFFLUENT MONITORING

Wastewater effluent shall be monitored prior to discharge to the dispersal area. Grab samples are considered adequately composited to represent the wastewater. Effluent monitoring shall include, at a minimum, the following:

| <u>Constituents</u> | <u>Units</u> | <u>Type of Sample</u> | <u>Sampling Frequency</u> | <u>Reporting Frequency</u> |
|--------------------------------|--------------|-----------------------|---------------------------|----------------------------|
| Flow | gpd | Metered | Continuous | Monthly |
| pH | Std. units | Grab | Weekly | Monthly |
| Total Suspended Solids | mg/l | Grab | Weekly | Monthly |
| BOD ₅ ¹ | mg/l | Grab | Weekly | Monthly |
| Total Dissolved Solids | mg/l | Grab | Monthly | Monthly |
| Nitrate as Nitrogen | mg/l | Grab | Monthly | Monthly |
| Total Kjeldahl Nitrogen | mg/l | Grab | Monthly | Monthly |
| Standard Minerals ² | mg/l | Grab | Annually | Annually |

¹ BOD₅ denotes five-day, 20° Celsius Biochemical Oxygen Demand.

² Standard Minerals shall include, at a minimum, the following elements and compounds: Boron, Calcium, Iron, Magnesium, Manganese, Sodium, Potassium, Chloride, Sulfate, Total Alkalinity (including alkalinity series), and Hardness.

DISPERSAL AREA MONITORING

The Discharger shall conduct a visual inspection of the dispersal area on a weekly basis and the results shall be included in the monthly monitoring report. Each inspection shall indicate which subarea of the dispersal area is receiving wastewater. Evidence of surfacing wastewater, erosion, field saturation, runoff, or the presence of nuisance conditions shall be noted in the report. If surfacing water is found, then a sample shall be collected and tested for pH and total dissolved solids. In addition to the visual inspections, monitoring of the dispersal area shall include the following:

| <u>Constituent</u> | <u>Units</u> | <u>Type of Sample</u> | <u>Sampling Frequency</u> | <u>Reporting Frequency</u> |
|---|--------------|-----------------------|---------------------------|----------------------------|
| Active Subarea | NA | Observation | Weekly | Monthly |
| Application Rate ¹ | Gal/acre•day | Calculated | Monthly | Monthly |
| Leachline Riser Inspection ² | Inches | Measurement | Monthly | Monthly |

¹ The application rate for each dispersal area.

² The Discharger shall measure the depth of wastewater in each observation port riser. The Discharger shall provide the depth of each disposal trench and the corresponding depth of soil remaining between the ponded wastewater and the surface.

REPORTING

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, dispersal area, groundwater etc.), and reported analytical result for each sample are readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with waste discharge requirements and spatial or temporal trends, as applicable. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported in the next scheduled monitoring report.

A. Monthly Monitoring Reports

Monthly reports shall be submitted to the Regional Board on the **1st day of the second month following sampling** (i.e. the January Report is due by 1 March). At a minimum, the reports shall include:

1. Results of effluent and dispersal area monitoring;
2. If the treatment and disposal system has not yet been constructed, then the monthly report shall state so, and shall provide the anticipated date of construction;
3. A comparison of monitoring data to the discharge specifications and an explanation of any violation of those requirements. Data shall be presented in tabular format;
4. If requested by staff, copies of laboratory analytical report(s); and
5. A calibration log verifying calibration of all hand held monitoring instruments and devices used to comply with the prescribed monitoring program.

B. Annual Report

An Annual Report shall be prepared as the December monitoring report. The Annual Report will include all monitoring data required in the monthly schedule. The Annual Report shall be submitted to the Regional Board by **1 February** each year. In addition to the data normally presented, the Annual Report shall include the following:

1. If requested by staff, tabular and graphical summaries of all data collected during the year;
2. A discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into full compliance with the waste discharge requirements;
3. Results of the effluent annual monitoring;
4. A summary of the annual grease trap, septic tank, and secondary settling tank inspections and of the volumes septage and sludge removed from the WWTF and corresponding disposal site.

A letter transmitting the self-monitoring reports shall accompany each report. Such a letter shall include a discussion of requirement violations found during the reporting period, and actions taken or planned for correcting noted violations, such as operation or facility modifications. If the discharger has previously

submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. The transmittal letter shall contain a statement by the discharger, or the discharger's authorized agent, under penalty of perjury, that to the best of the signer's knowledge the report is true, accurate and complete.

The Discharger shall implement the above monitoring program as of the date of this Order.

Ordered by: _____
THOMAS R. PINKOS, Executive Officer

19 March 2004

(Date)

TRO: 3/19/2004

INFORMATION SHEET

ORDER NO. R5-2004-0034
ERNIE AND MARY SCHENONE
SCHENONE SPECIALTY FOODS, INC.
SAN JOAQUIN COUNTY

Ernie and Mary Schenone (Discharger) doing business as Schenone Specialty Foods, will operate Chocoholics Divine Desserts (CDD) at 18819 East Highway 88, Clements. The facility will consist of a renovated existing 3,600 sq. ft. building and a new 14,200 sq. ft. building. CDD plans to manufacture and distribute wholesale gourmet chocolate products with onsite sales of chocolate products to the general public. Primary products include chocolate candy and sauces, but the facility will also serve hot chocolate and coffee drinks that include the sauces. Products for retail sale may also include ice cream. The Discharger anticipates between 29 and 104 customers per day.

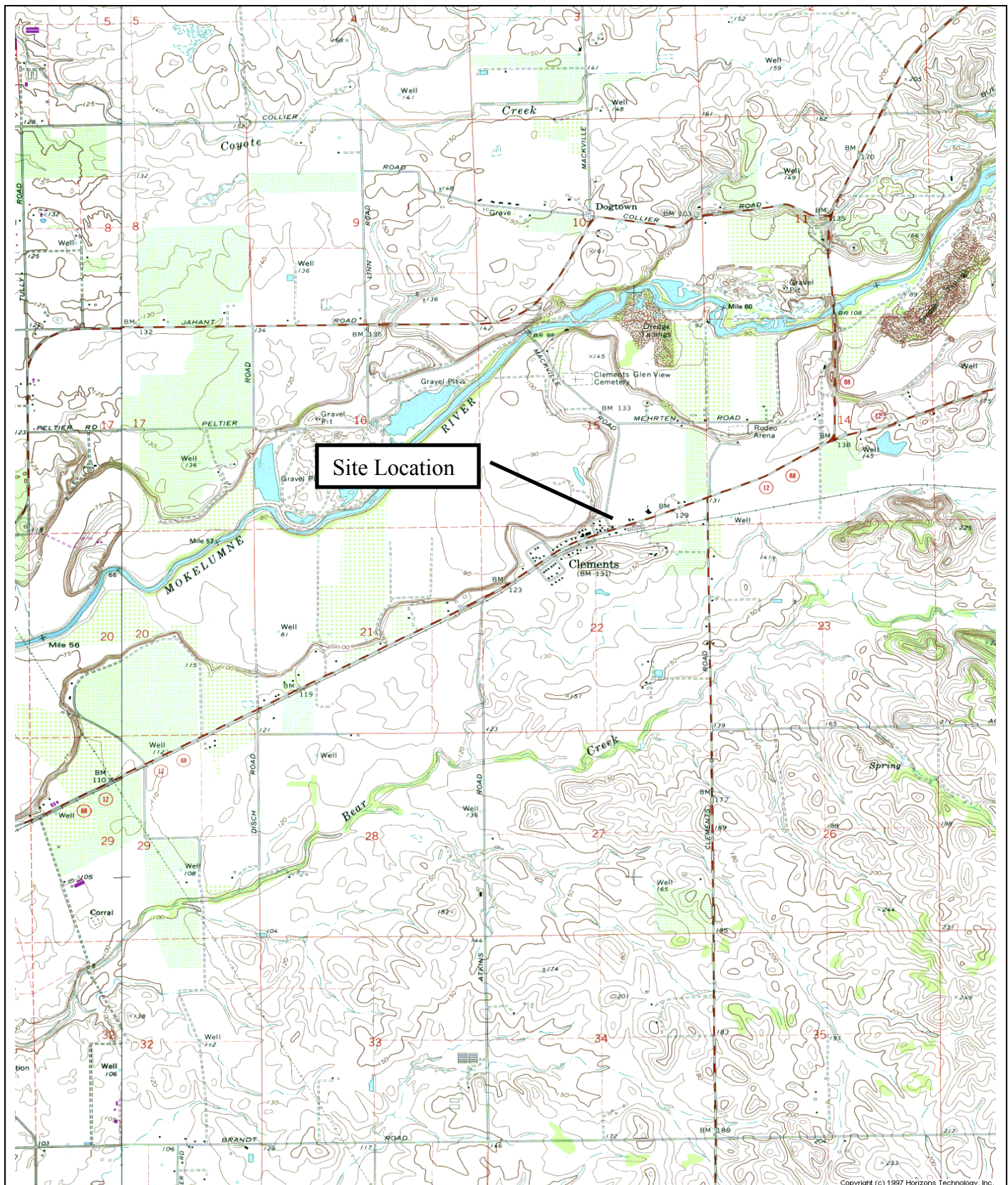
Wastewater flow rates will vary during the year with the highest flow anticipated in October. The RWD demonstrated hydraulic capacity for the highest flow including the 100-year annual total rainfall. The proposed wastewater treatment and disposal system consists of (a) a 1,200 gallon, two-compartment, grease trap that will receive industrial waste from the manufacturing floor drains, wash sinks, cooling tables, and washing machine; (b) a 2,000 gallon, single-compartment, septic tank that will receive domestic waste from the 14,200 sq. ft. building and the existing 1,600 sq. ft. building, and (c) a secondary 2,000 gallon, two-compartment, settling tank containing a septic tank effluent pump. The settling tank will receive the waste from both the industrial grease trap and the domestic septic tank. Wastewater will be pumped from the secondary settling tank to one of two disposal systems: an 1,800 sq. ft. filter bed area equipped with 22 laterals protected by Infiltrator chambers, or two 40 ft. long leachlines with 16 ft. deep seepage pits at the terminal ends. The Discharger will direct wastewater flow between the two systems by a manual valve. The dispersal area will be landscaped to allow shallow rooted plants to take up nitrogen.

Based on the information available, the mixture of industrial and domestic wastewater will be generally similar to normal domestic wastewater except the biochemical oxygen demand is 2.75 times the concentration of typical domestic wastewater. That ratio may increase with increased industrial wastewater generation. The Discharger has not characterized the expected salt concentration of the wastewater.

Effluent limits were developed for the discharge based on the source water quality, the Report of Waste Discharge, and published information on the reduction of BOD and total nitrogen in septic tank effluent. The TDS limit is based on the source water quality with 350 mg/L added. The BOD and total nitrogen limits were based on the RWD anticipated values and anticipated reduction factors. The reduction factors were based on the California Wastewater Training & Research Center's septic tank influent and effluent values.

The design flow for the wastewater treatment equipment is approximately 2,000 gallons per day. The topography of the site is relatively flat at an elevation of approximately 125 feet above mean sea level. On-site soils consist of loam to sandy clay loam with moderately rapid permeability. Groundwater is believed to exist at a depth of 140 feet below ground surface. Groundwater flow direction is to the southwest but may vary based on operating groundwater extraction wells. The Clements municipal water supply is located approximately 1,000 feet southwest (downgradient) of the CDD facility.

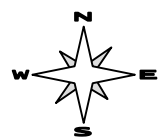
Surface water drainage from the surrounding area is to the Mokelumne River.



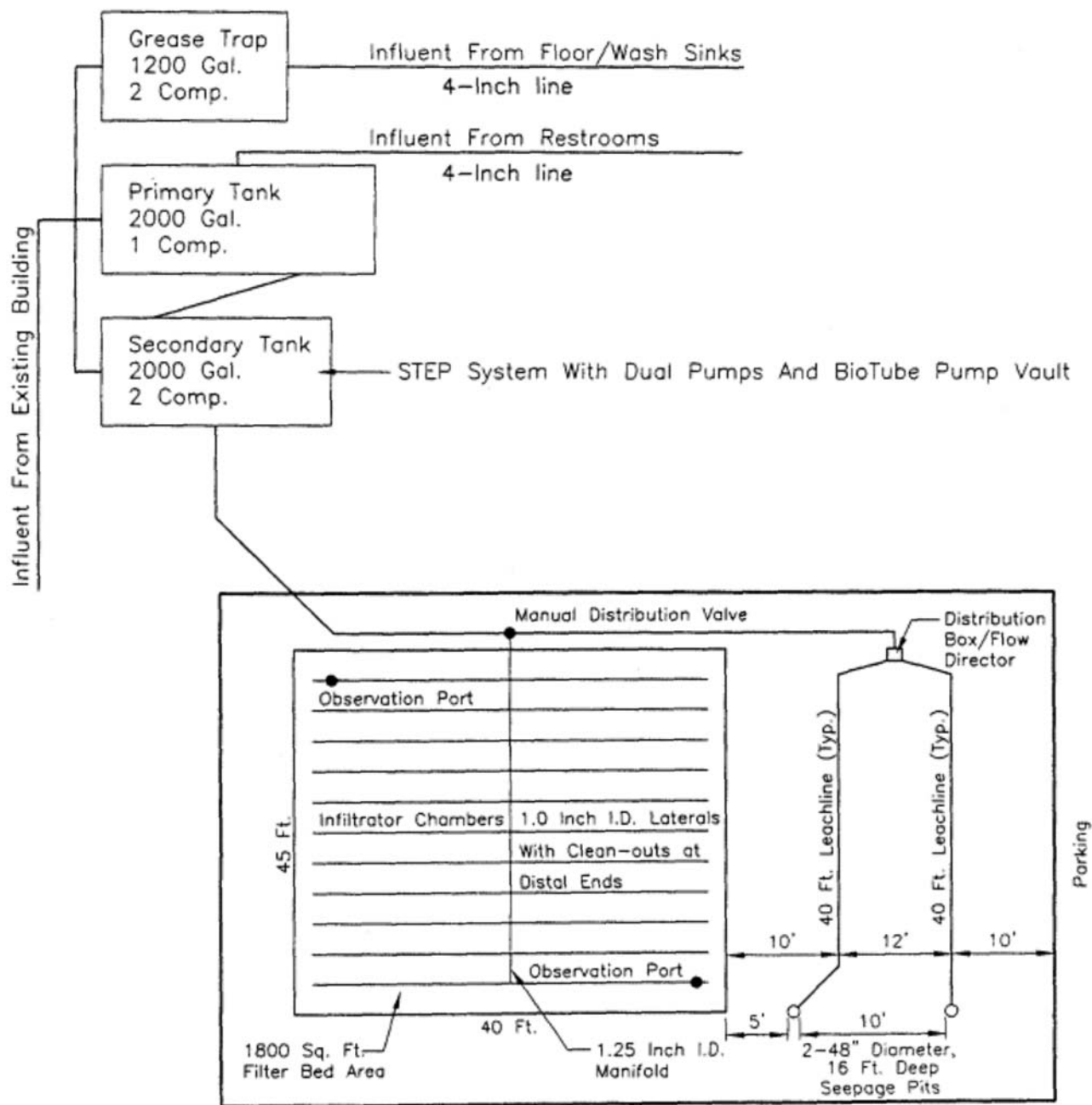
Copyright (c) 1997 Horizons Technology, Inc.

Drawing Reference:
 Clements USGS
 7.5 Minute Topographical Map

SITE LOCATION MAP
 Schenone Specialty Foods
 Chocoholic Facility
 18819 East Highway 88
 Clements, San Joaquin County



1 in.=3,200 ft.

**CHAMBERS**

Infiltration Chamber Specs:

Standard Infiltrator Chamber SC: 34" X 75" X 12"
 3 Chambers On Either Side Of Center Manifold

Chamber Spacers: 6"

Scarify Soil/Effluent Interface

Two Observation Ports

1.0 Inch I.D. Lateral Piping

Clean-outs At Distal ends Per EHD Requirements

TANKS

1 - 1200 Grease Trap

1 - 2000 Gallon Single Compartment

1 - 2000 Gallon Dual Compartment

Biotube Pump Vault, Dual Pump System With Alarm

All Tanks Manholed Per EHD Requirements

Drawing Reference:

modified from Figure 3

Nolte Associates

Report of Waste Discharge 11/03

WASTEWATER TREATMENT SYSTEM SCHEMATIC

Schenone Specialty Foods

Chocoholic Facility

18819 East Highway 88

Clements, San Joaquin County



California Regional Water Quality Control Board

Central Valley Region



Terry Tamminen

Secretary for

Environmental Protection

Robert Schneider, Chair

Arnold Schwarzenegger

Governor

Sacramento Main Office

Internet Address: <http://www.swrcb.ca.gov/~rwqcb5>

11020 Sun Center Drive, #200, Rancho Cordova, CA 95670-6114

Phone (916) 464-3291 • FAX (916) 464-4780

ATTACHMENT C

ORDER NO. R5-2004-0034

ITEMS TO BE INCLUDED IN A

MONITORING WELL INSTALLATION WORKPLAN AND A MONITORING WELL INSTALLATION REPORT OF RESULTS

Prior to installation of groundwater monitoring wells, the Discharger shall submit a workplan containing the minimum listed information. Wells may be installed after staff approve the workplan. Upon installation of the monitoring wells, the Discharger shall submit a report of results, as described below. All workplans and reports must be signed by a registered geologist, certified engineering geologist, or civil engineer registered or certified by the State of California.

SECTION 1 - Monitoring Well Installation Workplan

A. General Information:

- Purpose of well installation project
- Copies of County Well Construction Permits (to be submitted after workplan review)
- Monitoring well locations and rationale
- Survey details
- Equipment decontamination procedures
- Health and safety plan
- Topographic map showing any existing wells, proposed wells, waste handling facilities, utilities, and other major physical and man-made features.

B. Drilling Details:

- Describe drilling technique
- Sampling intervals, and logging methods
- Cuttings storage and disposal

C. Monitoring Well Design:

- Casing diameter and centralizer spacing (if needed)
- Borehole diameter
- Depth of surface seal
- Well construction materials
- Diagram of proposed well construction details
- Type of well cap, bottom cap either screw on or secured with stainless steel screws
- Size of perforations and rationale
- Grain size of sand pack and rationale
- Thickness and position of bentonite seal and sand pack
- Depth of well, length and position of perforated interval

California Environmental Protection Agency



Order No. R5-2004-0034

Monitoring Well Installation Workplan

Monitoring Well Installation Report

D. Well Development:

Require a minimum of 48 hours prior to development activities

Method of development to be used

Method of determining when development is complete

Parameters to be monitored during development

Method of development water storage and disposal

E. Well Survey:

Identify the Licensed Land Surveyor or Civil Engineer that will perform the survey

Describe what well features will be surveyed (i.e. top of casing, horizontal and vertical coordinates, etc.)

Vertical accuracy shall be to at least 0.01 foot

F. Soil Sampling (if applicable):

Analyses to be run and methods

Sample containers, collection method, and preservation method

Table describing sample volumes, sample containers, preservation agents, and hold times

Intervals at which soil samples are to be collected

Number of soil samples to be analyzed and rationale

Location of soil samples and rationale

QA/QC procedures

G. Well Sampling:

Minimum time after development before sampling (48 hours)

Well purging method and amount of purge water

Sample containers, collection method, and preservation method

Table describing sample volumes, sample containers, preservation agents, and hold times

QA/QC procedures

H. Water Level Measurement:

The elevation reference point at each monitoring well shall be within 0.01 foot. Ground surface elevation at each monitoring well shall be within 0.01 foot. Method and time of water level measurement shall be specified.

I. Proposed time schedule for work.

SECTION 2 – Groundwater Sampling and Analysis Plan

A. General Information:

Purpose of well sampling

Site Location

Monitoring well locations

Monitoring well construction details including elevation, well depth, casing material and size, and screen interval

Equipment decontamination procedures

Health and safety plan

Order No. R5-2004-0034

Monitoring Well Installation Workplan

Monitoring Well Installation Report

Topographic map showing any existing wells, proposed wells, waste handling facilities, utilities, and other major physical and man-made features.

B. Water Level Measurement:

Ground surface elevation at each monitoring well shall be within 0.01 foot.

Method and time of water level measurement shall be specified

Water level in well shall be allowed to equilibrate prior to measuring the depth to water

C. Well Sampling:

Well purging method and amount of purge water, purge water storage

Sample containers, collection method, and preservation method

Table describing sample volumes, sample containers, preservation agents, and hold times

Identification of analytical laboratory

Chain of custody procedures

QA/QC procedures

D. Proposed time schedule for work.

SECTION 3 - Monitoring Well Installation Report of Results

A. Well Construction:

Number and depth of wells drilled

Date(s) wells drilled and completed

Description of drilling and construction

Locations relative to facility features such as buildings, storage ponds, waste piles, etc.

A well construction diagram for each well must be included in the report, and should contain the following details:

Drilling Contractor and driller name

Depth of open hole (same as total depth drilled if no caving occurs)

Method and materials of grouting excess borehole

Footage of hole collapsed

Length of slotted casing installed

Depth of bottom of casing

Depth to top of sand pack

Thickness of sand pack

Depth to top of bentonite seal

Thickness of bentonite seal

Thickness of concrete grout

Boring diameter

Casing diameter

Casing material

Size of perforations

Number of bags of sand

Well elevation at top of casing

Depth to ground water

Order No. R5-2004-0034

Monitoring Well Installation Workplan

Monitoring Well Installation Report

Date of water level measurement

Monitoring well number

Date drilled

Location

B. Well Development:

Date(s) of development of each well

Method of development

Volume of water purged from well

How well development completion was determined

Method of effluent disposal

Field notes from well development should be included in report.

C. Well Survey:

Identify the coordinate system or reference points

Survey the well casing with the cap removed (horizontal and vertical coordinates)

Include the Registered Engineer or Licensed Surveyor's report and field notes in appendix

Describe the measuring points (i.e. ground surface, top of casing, etc.)

Present the well survey report data in a table

D. Water Sampling:

Date(s) of sampling

How well was purged

How many well volumes purged

Levels of temperature, EC, and pH at stabilization

Sample collection, handling, and preservation methods

Sample identification

Analytical methods used

Laboratory analytical data sheets

Water level elevation(s)

Groundwater contour map

E. Soil Sampling (if applicable):

Date(s) of sampling

Sample collection, handling, and preservation method

Sample identification

Analytical methods used

Laboratory analytical data sheets